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EXAMINER

MOE, AUNG SOE

ART UNIT	PAPER NUMBER
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2612

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3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/324,249

Applicant(s)

Knowles

Examiner

Aung Moe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 9, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, *published under section 122(b)*, by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Criss et al. (US 2001/0029178 A1).

Regarding claim 18, Criss '178 discloses a method in wireless device (Fig. 2) that includes a RF communication device (i.e., Fig. 1, the elements 58/32), a memory containing a destination address (Figs. 1-3b, the elements' 50), a processor (Fig. 2, the element 40), and a user interface means (Fig. 2, the element's 42), for updating configuration table data on the wireless device with configuration table data modified on a remote server (i.e., Figs. 1 and 3a-4; noted the server station system 20) that is associated with the destination address (i.e., Figs. 4 and 7a-7i; page 2, paragraph 0013; page 4, paragraph 0051; and page 5, paragraph 0054), comprising:

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establishing a communication link between the wireless device and the server via the RF communications device (Figs. 7a-7i; page 4, paragraph 0051+); and

transmitting configuration table data from the server to the wireless device (i.e., page 5, paragraph 0059-0060).

3. Claims 1-6, 8, 11, 14 and 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Safai et al. (U.S. 6,167,469).

Regarding claim 1, Safai '469 discloses a wireless digital camera apparatus (Figs. 6 and 7), comprising: a digital camera (100) including a processor, user interface means, and a memory (Figs. 1-2, the elements' 110-116, 220, 212); a RF communications device connected to said processor (Fig. 2, the elements 214/208 and Fig. 7, the elements' 718; col. 6, lines 15+, col. 13, lines 10-30 and col. 18, lines 5-15); and

processor control means (Fig. 2, the element 210) responsive to signals received from said user interface means, for capturing digital images and storing said images in said memory (col. 5, lines 30+ and col. 6, lines 1+),

selecting and storing a designation address in said memory (Figs. 4A-4F; col. 8, lines 25- col. 9, lines 25+), and transmitting a message, including at least one said digital image, via said RF communications device to a remote system associated with said destination address (col. 12, lines 36+, col. 13, lines 10-30 and col. 18, lines 10+).

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Regarding claim 2, Safai '469 discloses wherein said user interface further comprises means for selecting a recipient code from a predefined list stored in said memory (col. 9, lines 30+ and col. 13, lines 55+), said remote system comprises a messaging server (601), and wherein said message further includes said recipient code (i.e., col. 13, lines 40+ and col. 14, lines 45+).

Regarding claim 3, Safai '469 discloses wherein said user interface further comprises means for entering a recipient address and wherein said message further includes said recipient address (i.e., see Figs. 4A-4F; col. 9, lines 15+).

Regarding claim 4, Safai '469 discloses wherein said means for entering a recipient address comprises a microphone and voice recognition module (i.e., the microphone 216 of Fig. 2 and noted the use of *voice commands* as discussed in col. 6, lines 26+).

Regarding claim 5, Safai '469 discloses wherein said user interface further comprises means for selecting a classification for said digital image and wherein said control means further transmits said classification with said message (i.e., noted from Figs. 4A-4F that user may select a classification for the digital image by either selecting the text information in the address entry field 414 or selecting a voice message to classify the digital image, and such classification data is transmitted along with the digital images to the remote server 601; col. 9, lines 4+ and col. 11, lines 26+).

Regarding claim 6, Safai '469 discloses wherein said user interface further comprises means for creating a digital audio recording and wherein said control means further transmits said digital audio recording with said message (i.e., col. 11, lines 26+ and Fig. 4D).

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Regarding claim 8, Safai '469 discloses wherein said user interface further comprises means for selecting a recipient code from a predefined list stored in said memory, and wherein said message further includes said recipient code (i.e., as shown in Figs. 4B and 5A and col. 9, lines 15+ the user may select a recipient code, the predetermined addresses stored in the internal table of the camera, by entering an address, and the auto-completion function retrieves the complete address from the internal table so that this address can be included with the transmitted message data; col. 12, lines 40+ and col. 13, lines 55+).

Regarding claim 11, Safai '469 discloses digital photo delivery system (Figs. 6 and 7) comprising:

a wireless digital camera apparatus (col. 6, lines 15+, col. 13, lines 25+ and col. 18, lines 10+), wherein said apparatus includes a processor; a memory (Fig. 2, the elements' 208 and 212; col. 12, lines 65+); a destination address stored in said memory (i.e., col. 9, lines 15+ and col. 13, lines 55+);

user interface means (Fig. 1, the elements' 110-16) connected to said processor (col. 5, lines 20+; Fig. 7, the elements' 714, 716 and 704);

a digital camera means connected to said processor (Fig. 2; col. 5, lines 40+);

a RF communications device connected to said processor (i.e., Fig. 2, the element 214; col. 6, lines 6+, col. 13, lines 25-30 and col. 18, lines 10+); and processor control means, responsive to signals received from said user interface means (Fig. 2, the elements 210/208; see col. 5, lines 55+ and col. 6, lines 20+), for transmitting a message, including at least an account

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identifier, a recipient code, and one said digital image (i.e., see Figs. 4A-4F; col. 2, lines 35+, col. 12, lines 40+ and col. 13, lines 55+), to said destination address via said RF communications device (col. 6, lines 6+, col. 17, lines 40+ and col. 18, lines 10+); and

a server (Fig. 6, the element 601) associated with said destination address and responsive to messages received at said destination address from said wireless digital camera apparatus (col. 13, lines 25+);

server memory means (614) for storing account configuration records, including message recipient code distribution data, and associated with said account identifiers (i.e., col. 14, lines 10-65 and col. 15, lines 15+);

server communications means; and server control means for parsing said account identifier and said recipient code from each said message (Fig. 6, col. 14, lines 10-68 and col. 15, lines 30+), and

processing each said message according to message recipient code distribution data associated with said account identifier and said recipient code (col. 14, lines 1-68), which processing may include transmitting portions of said messages to at least one pre-defined recipient (i.e., Noted that the server 601 is capable of forwarding the received messages to the pre-defined recipient of the elements 610 and 612) associated with said recipient code via said server communication means (Figs. 6 & 7; the elements' 608, 722, 726 and 728; col. 14, lines 30+ and col. 15, lines 1-55).

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Regarding claim 14, Safai '469 discloses wherein said RF communications device comprises a modem suitable for connection to a PSTN (col. 13, lines 15+) and said processor control means comprises a processor for generating commands to link said wireless digital camera apparatus to an Internet service provider network and transmits said message to said destination address (Fig. 2, the elements 210 & 214; col. 12, lines 20+ and col. 13, lines 14+).

Regarding claim 16, Safai '469 discloses a method in a data processing system for transmitting an image to a remote system associated with a predetermined destination address (Figs. 4A-4F), comprising:

registering with a wireless packet data network (col. 15, lines 15+);

obtaining a digital image from a digital camera (col. 5, lines 40+);

formatting a message, including at least one said digital image and an account identifier (Figs. 4B; col. 8, lines 68+); and

transmitting said message via said wireless packet data network to said remote system (601) associated with said predetermined destination address (col. 13, lines 15-30, col. 17, lines 40+ and col. 18, lines 10+).

Regarding claim 17, Safai '469 discloses further comprising the step of processing said message on said remote system to retrieve one or more preselected recipient addresses corresponding to a recipient code in said message (Fig. 4E-4F; col. 12, lines 40+); and retransmitting at least said image to each preselected recipient address (col. 14, lines 9-68).

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4. Claims 1-4, 8, 11 and 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Hull et al. (U.S. 5,806,005).

Regarding claim 1, Hull '005 discloses a wireless digital camera apparatus (Fig. 1), comprising: a digital camera (12) including a processor (i.e., noted that the CPU 22 and the capture device 20 includes a processor), user interface means (i.e., the input device 32), and a memory (the memory 24/34); a RF communications device (i.e., the elements 26 & 28) connected to said processor (20/22); and processor control means (22) responsive to signals received from said user interface mans (32), for capturing digital images and storing said images in said memory (24), selecting and storing a designation address (i.e., noted that the memory 34 contains a designation address; see col. 2, lines 25+) in said memory (34), and transmitting a message, including at least one said digital image, via said RF communications device (i.e., col. 2, lines 25+) to a remote system (14) associated with said destination address (i.e., noted that the transmitted messages may include the destination address, such that E-mail address of the percipient, IP address and the addresses of the external devices 70; see col. 2, lines 30+ and col. 4, lines 15+).

Regarding claim 2, Hull '005 discloses wherein said user interface further comprises means for selecting a recipient code (i.e., noted from Fig. 1 and col. 2, lines 25+ that the user of DSVC 12 may select a recipient code, such that E-mail address code) from a predefined list stored in said memory (i.e., noted that a predetermined E-mail list may be stored with the memory 34),

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said remote system comprises a messaging server (14), and wherein said message further includes said recipient code (i.e., noted that the message transmitted from DSVC 12 may include the recipient code, such that E-mail address code, Web site address or the address codes for the external printing devices 70 so that the server 14 may forward the messages to corresponding recipient in response to this code data form the received message; see col. 2, lines 20-68 and col. 4, lines 15+).

Regarding claim 3, Hull '005 discloses wherein said user interface further comprises means for entering a recipient address and wherein said message further includes said recipient address (i.e., noted that the user may enter a recipient address via a command input device 32; see col. 2, lines 20+ and col. 3, lines 20+).

Regarding claim 4, Hull '005 discloses wherein said means for entering a recipient address comprises a microphone and voice recognition module (col. 2, lines 20-25).

Regarding claim 8, Hull '005 discloses wherein said user interface further comprises means for selecting a recipient code from a predefined list stored in said memory (i.e., noted that the memory 34 stored a predefined list of the recipient codes), and wherein said message further includes said recipient code (i.e., see col. 2, lines 20+ and col. 4, lines 15+).

Regarding claim 11, Hull '005 discloses digital photo delivery system (Fig. 1) comprising: a wireless digital camera apparatus (12), wherein said apparatus includes a processor (i.e., noted that the image captured by the capture device 20 must be processed before storing in the memory 24, thus, the capture device 20 and the CPU 22 must include a processor

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for processing the image data captured by the capture device 20); a memory (i.e., noted the use of memory device 24/34); a destination address stored in said memory (i.e., noted the memory 34 can store a destination address, such that the E-mail addresses; see col. 2, lines 25+);

user interface means (32) connected to said processor (i.e., the processor of the capture device 20 and the CPU 22); a digital camera means (20) connected to said processor (i.e., noted the processor 22);

a RF communications device (i.e., the elements 26/28) connected to said processor (22); and processor control means (22), responsive to signals received from said user interface means (32), for transmitting a message, including at least an account identifier (i.e., noted that use of TCP/IP protocol packaging, thus, an account identifier is an inherent feature of Hull '005), a recipient code (i.e., noted that the digital packets transmit over the network 16 includes the recipient code, such as the server address code, E-mail address code and the telephone number of the external printing device 70; see col. 2, lines 30+, col. 3, lines 20+ and col. 4, lines 15+), and one said digital image, to said destination address via said RF communications device (i.e., col. 3, lines 20+); and

a server (14) associated with said destination address (i.e., noted that the server 14 is associated with the destination address of the DSVC 12 so that the message data transmitted from the DSVC 12 is only transmitted to the specific server 14 based on the destination address located within the DSVC 12) and responsive to messages received at said destination address from said wireless digital camera apparatus (i.e., col. 2, lines 2, lines 45-60);

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server memory means (58/54) for storing account configuration records (i.e., noted that the DSVC 12 is normally register with the server 14, thus, the server must store the account configuration records of the DSVC 12, so that the server would be able to establish the correct communicate with the specific DSVC system), including message recipient code distribution data, and associated with said account identifiers (i.e., Noted that the message transmitted form the DSVC 12 includes recipient code distribution data, such that E-mail/telephone number of the designated recipients associated with the DSVC 12, such distribution data may be stored in the storage means at the server 14, so that some or all of the images in the data storage means may be forward to the corresponding E-mail address, the External printing devices or the Web pages over the Internet; see col. 2, lines 30-50 and col. 4, lines 15-20);

server communications means (Fig. 1, the elements 56 & 52); and server control means (52) for parsing said account identifier and said recipient code from each said message (i.e., noted that the CPU 52 of the server 14 must decrypt/unpackage the massages transmitted form the DSVC 12; see col. 2, lines 39+), and

processing each said message according to message recipient code distribution data (i.e., noted from Fig. 1 and col. 2, lines 31+ that the CPU 52 of the server is capable of processing the message packets to handle the requirements of the protocols used to send the messages, thus, the CPU 52 must process the message based on the recipient code distribution data, such that E-mail data or the telephone data of the intended recipient) associated with said account identifier (i.e., noted that since there are many DSVC systems are communicating with the server 14, the

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transmitted message packets from the DSVS 12 must include the specific account identifier so that the server 14 is capable of properly identifying the specific DSVC) and said recipient code, which processing may include transmitting portions of said messages to at least one pre-defined recipient (i.e., noted that transmitted packets includes a pre-defined recipient code, such as E-mail addresses and the telephone number of the recipient so that some or all of the images from the transmitted messages may be made available over the Internet or forward to the external printing devices as requested by the DSVC 12; see col. 2, lines 30-50 and col. 4, lines 15+) associated with said recipient code via said server communication means (56/52).

Regarding claim 16, Hull '005 discloses a method in a data processing system for transmitting an image (i.e., the image data captured by DSVC 12) to a remote system (14) associated with a predetermined destination address (i.e., noted that TCP/IP protocol packing is performed on the image for transmission, thus, a predetermined destination address includes within the transmitted packets; see col. 2, lines 45+), comprising:

registering with a wireless packet data network (i.e., noted that DSVC 12 used the cellular transmitter 28, thus, DSVC 12 must register with the Cellular Network 16 in order to communicate with the remote server 14 as shown in Fig. 1; see col. 2, lines 10+);

obtaining a digital image from a digital camera (i.e., noted that DSVC 12 includes a digital camera made up of a capture device 20; see col. 2, lines 2+);

formatting a message, including at least one said digital image and an account identifier (i.e., noted from col. 2, lines 20+ of Hull '005 that DSVC 12 includes CPU 22 with a protocol

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packetizing program 36, an encryption module 38 and an E-mail handler 40, and this implied that each user of the network 16 has a unique address or identification within the network, thus, when the packet data from DSVC 12 is transmitted to the remote server 14, the transmitted packet data must include an account identifier along with transmitting digital image data so that the remote server 14 could be able to identify the packet data of a specific DSVC in order to allow the remote server 14 to properly process the received packet data of the specific DSVC and if needed, the server 14 could directly communicate with a specific DSVC based on an account identifier to capture additional images; see col. 3, lines 20+ and 45+); and

transmitting said message via said wireless packet data network to said remote system (12) associated with said predetermined destination address (i.e., noted that the transmitted packet from DVSC 12 includes the predetermined destination address such that the cellular number, IP address, E-mail address and the address for the printer/facsimile machine 70 as shown in Fig. 1 and col. 2, lines 20+).

Regarding claim 17, Hull '005 discloses further comprising the step of processing said message on said remote system (12) to retrieve one or more preselected recipient addresses corresponding to a recipient code in said message (i.e., Noted from col. 2, lines 45+ and col. 4, lines 15+ Hull '005 stated that when the transmitted packet data are received at the remote system 12, they are processed by the CPU 52 so that if desired, some or all of the images in data can be made available over the Internet or forwarded to the external printing devices. In view of this, it is cleared that the CPU 52 is capable of processing the received packet data to retrieve one

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or more of the preselected recipient addresses, such that the address of the External printing devices, IP addresses or the cellular number of the recipient the address, from the received messages for forwarding some of the images to the Internet or the External printing devices 70); and retransmitting at lest said image to each preselected recipient address (i.e., noted that the operator of DVSC 12 can select a predetermined recipient address, such that the address of the External printing devices 70, to forward the image data via the remote server 14; see col. 4, lines 15+).

5. Claims 9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Patel et al. (US 2002/0167595).

Regarding claim 9, Patel '595 discloses a wireless digital apparatus (i.e., see Figs. 5 and 6-7), comprising:

a processor (i.e., noted from Figs. 5 and 7 that the wireless apparatus 10 includes the processor elements 57, 50, 52 and 54; see page 5, paragraph 0062), and user interface means (i.e., noted the user interface element 16 as shown in Fig. 5) and a memory connected to said processor (i.e., noted that the storage device is a part of the element 56 and the interface means may be coupled to the processor elements and the storage element via the input 68 as shown in Fig. 7), a RF communications device connected to said processor (page 4, the paragraph 0059 and Fig. 7, the element 58); and processor control means (Fig. 7, the element 56), responsive to signals received from said user interface means (i.e., noted the element 68 of Fig. 7), for

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establishing a communication link to a remote system (i.e., the remote system is shown in Fig. 6; see the elements 34, 36, 38, 40 and 42 of Fig. 6) associated with a destination address stored in said memory (i.e., see Fig. 3 and 7, the elements 6 and 56 of the wireless apparatus contain an address of the remote location to transmit the image data via wireless transmission; see page 2, paragraphs 0027+ and page 3, paragraphs 0043)

capturing message data, transmitting one or more messages, via said RF communications device to said remote system (i.e., see page 2, paragraphs 0027+), and

capturing new message data in response to signals received from said user interface at the same time messages are being transmitted (page 5, paragraphs 0062+ and 0067+).

Regarding claim 10, Patel '595 discloses a digital camera (Figs. 5 and 7; page 3, paragraph 0049) connected to said processor, and where message data includes at least one digital image captured by said digital camera (page 5, paragraph 0063).

Regarding claim 8, wherein said user interface further comprises means for selecting a recipient code from a predefined list stored in said memory, and wherein said message further includes said recipient code.

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Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Fukuoka (U.S. 6,104,430).

Regarding claim 7, although Safai '469 shows the use of the user interface (see Fig. 2 of Safai '469), Safai '469 does not explicitly state the use of a serial data port as recited in the present claimed invention.

However, the use of a serial data port in the wireless digital camera is well-known in the art as evidenced by Fukuoka '430 (i.e., see col. 4, lines 5-15 and col. 7, lines 10-25). In view of this, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Fukuoka '430 so that data control bits may be sent sequentially over a single channel.

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8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Criss et al. (US 2001/0029178 A1).

Regarding claim 12, Safai '469 discloses server control means of the server 602 further comprises means for transmitting account configuration data to said wireless data camera apparatus in response to receiving a signal from said wireless digital camera apparatus (Figs. 6 and 7; col. 15, lines 15+ and col. 18, lines 30-46), and wherein said processor control means stored the received account configuration data in the storage device (i.e., col. 18, lines 40-46).

Further, it is noted that although the server (601/730) is capable of responding to the remote wireless digital apparatus (i.e., the camera 100/the computer 700) by transmitting the account configuration data (i.e., see col. 18, lines 30-46) based on the signal received, Safai '469 does not explicitly state that the memory of the wireless digital apparatus is updated by the processor control means in respond the account configuration received form the remote server.

However, Criss '178 teaches that it is conventionally well-known to update the memory (Figs. 2; the element 50; page 5, paragraph 0054) of the wireless digital apparatus (i.e., the apparatus 36) with the account configuration data (i.e., noted the account configuration data as shown in Figs. 4 and 5a-5d) transmitted from the server based on the signal received from the wireless digital apparatus (i.e., Figs. 7a-7i; page 2, paragraphs 0013+) so that the memory of the digital mobile device is wirelessly updated.

In view of the above, having the system of Safai '469 and then given the well-established teaching of Criss '178, it would have been obvious to one having ordinary skill in the art at the

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time the invention was made to modify the system of Safai '469 as taught by Criss '178 so that the memory of the digital mobile device of Safai '469 may be updated wirelessly and this would obviously overcome significantly down time or service costs for upgrading the mobile device as suggested by Criss '178 (i.e., see page 1, paragraph 0010 of Criss '178).

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Fernandez et al. (US 2002/0057340).

Regarding claim 13, although Safai '469 suggests the use of different communication protocol (i.e., see col. 13, lines 15-30 and col. 18, 10+), Safai '469 does not explicitly show the use of a CDPD protocol. However, the use of a CDPD protocol is well-known in the art as evidenced by Fernandez '340 (i.e., page 4, paragraph 0042).

In view of the above, having the system of Safai '469 and then given the well-established teaching of Fernandez '340, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Fernandez '340 in order to realize faster transmission for tracking real-time data associated with multiple object surveillance and/or movements as suggested by Fernandez '340 (i.e., see page 11, paragraphs 0122+).

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10. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Harkins et al. (U.S. 5,689,642).

Regarding claim 15, although Safai '469 shows the server control means, Safai '469 does not explicitly show message reply filter means for receiving messages addressed to each said wireless digital camera apparatus and only forwarding to said wireless digital camera apparatus those messages which originate from an address that is authorized for a reply in said account configuration record associated with said wireless digital camera apparatus.

However, the above mentioned claimed limitations are well-known in the art as evidenced by Harkins '642. In particular, Harkins '642 teaches that it is conventionally well-known to use message replay filter means (i.e., the distribution list 60 and the communication channels 62 of the server as discussed in col. 7, lines 55+) for receiving messages addressed to each of the wireless digital apparatus (i.e., noted that the messages may be addressed to each of the wireless digital apparatus of the clients as shown in Channels 62; see col. 6, lines 1+) and only forwarding to said wireless digital apparatus those messages which originate from an address that is authorized for a reply in said account configuration record associated with said wireless digital apparatus (i.e., noted from Figs. 2 and 3, that the specific distribution lists may be stored at the server 4, so that the message is only forwarded/replied to the authorized client indicated by the server's distribution list of Channels 62; see col. 7, lines 50).

In view of the above, having the system of Safai '469 and then given the well-established teaching of Harkins '642, it would have been obvious to one having ordinary skill in the art at the

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time the invention was made to modify the system of Safai '469 as taught by Harkins '642.

Since Harkins '642 suggests at column 4, lines 25+ that such a modification would improve data flow over a network by efficiently utilizing an information filter, and moreover, overloading the communication medium bandwidth over the network may be prevented.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Allen '491, Dellert '916, Allen '633, Acosta '729, Thro '991, Ward '618, Harris '336, and Aihara '190 shows a digital photo delivery system having camera, processor and control means thereof.

b. Dowdy '082 shows a means for updating the memory of the digital camera (12) by transmitting configuration data form the remote server (14).

c. Reuning '592, Nielsen '684 and Saulpaugh '903 shows a message filter means for filtering the messages based on the predetermined list stored at the server.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Aung S. Moe** whose telephone number is **(703) 306-3021**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reach on (703) 305-4929.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


(703) 872-9314, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to
the customer service number **(703) 306-0377**.

A. Moe

May 30, 2003


AUNG S. MOE
PATENT EXAMINER